

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Glenn Ferguson et al.)	Group Art Unit: 2153
Application No.: 09/699,353)	Examiner: Bradley E. Edelman
Filed: October 31, 2000)	Confirmation No.: 8643
For: A DATA MODEL FOR)	
AUTOMATED SERVER)	
CONFIGURATION)	
)	

Request For Reconsideration

MAIL STOP AF
Commissioner for Patents
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Sir:

In response to the Office Action dated November 12, 2004, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims.

All pending claims were rejected under 35 U.S.C. § 103 on the basis of the newly-cited Galis et al patent (US 5,175,800), in view of the previously-cited Zager patent. It is respectfully submitted these two patents do not suggest a model of the type recited in the pending claims, whether they are considered individually or in combination.

As pointed out in Applicants' previous response, the present invention is particularly suited to the provisioning of servers that support sites on a network. To facilitate automated provisioning of such devices, the present invention provides a data model that characterizes all of the salient features the servers and the network on which they reside. Thus, for example, once the operating parameters of an Internet server have been

appropriately configured to provide the desired level of service, information pertaining to the operating system, applications and data software, and the operating parameter settings for each component of the server, is stored in the data model. Thereafter, when the network site is to be scaled up, by installing additional servers, the information stored in the data model can be used to rapidly and automatically configure the additional servers, without the need for human input.

In contrast, the Galis patent is directed to the management of networks, such as X.25 multiplexer networks. A significant difference is that a server is a general purpose system that requires fundamentally different modeling semantics. While the Galis patent discloses a system that is suitable for reconfiguring an X.25 multiplexer, the provisioning of a server cannot be based on the same set of parameters. For instance, a server can be a database server, a web server, an application server, an intrusion detection system, etc. The Galis patent does not disclose a data model that is designed to accommodate a general purpose system of this nature.

As such, it does not disclose a data model having the *specific* combination of entities and relationships that are recited in the claims. For instance, with reference to the first two entities recited in claim 1, namely the hardware entities and the software entities, the Office Action refers to the Galis patent at column 10, line 65 to column 11, line 3. However, this portion of the patent does not relate to entities that are stored in a *data model*. Rather, it is describing the network itself, i.e. "Referring now to FIG. 9D, a typical *communications network* is composed of..." (emphasis added).

Similarly, in connection with the claimed monitoring entities, the Office Action refers to the management cards described at column 4, lines 7-9. Again, however, this

portion of the patent does not relate to a data model. It is describing the physical cards, per se.

Another of the elements of the data model recited in claim 1 are "configuration entities containing information regarding the configuration of said software components, said hardware devices, and other components of the network for provisioning said components." In connection with this subject matter, the Office Action refers to the Galis patent at column 11, lines 55-60, for its recitation of a "configuration database." While this portion of the patent discloses the general idea of a database containing configuration data, it does not describe the particular set of information that is stored in the database. In particular, it does not disclose that configuration *entities* of the type recited above are stored as discrete elements of a data model, together with the other entities recited in claim 1.

Likewise, with respect to the claimed network entities, the Office Action refers to the Galis patent at column 11, lines 45-49, which states that the configuration database maintains "all aspects of the logical network." Again, however, this portion of the patent does not describe that network *entities* are stored as elemental components of a data model.

The Zagar patent was cited for its disclosure of domain name services. The Office Action concludes that, since domain name services were known, it would have been obvious to include them in the configuration database of the Galis patent. The mere fact that domain name servers were known does not automatically lead one to include domain name server *entities* as one of the components of a data model. In particular, there is no apparent reason to include such in the database of the Galis patent, since domain name servers have nothing to do with a multiplexed network of the type to which the Galis patent is directed.

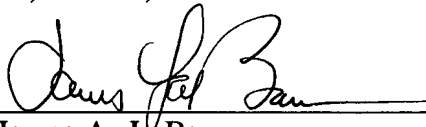
In summary, it is respectfully submitted that the rejection is based upon generalities, rather than the specific combination of features recited in the claims. The Office Action focuses upon the fact that each of the Galis and Zagar patents discloses a type of network model. However, Applicants are not claiming the concept of a network model, per se. Rather, they are claiming a specific data model that is particularly well-suited to the automated provisioning of servers and similar such general purpose devices. The claimed data model is comprised of a particular combination of entities that facilitates this purpose. It is respectfully submitted that the Galis and Zagar patents do not disclose, nor otherwise suggest, a data model containing each of those specific entities.

While the foregoing arguments have focused upon the combination of entities recited in claim 1, it is respectfully submitted that they are equally applicable to all of the pending claims. The dependent claims recite additional entities that make up the data model. Neither of the references discloses a *data model* that is comprised of claimed combinations of entities.

For the foregoing reasons, it is respectfully submitted that the pending claims define subject matter which is patentably distinct from the teachings of the Galis and Zager patents, whether considered individually or in combination. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Respectfully submitted,
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